



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 016-057, INDIAN CREEK

EFFECTIVE 28 JANUARY 2005

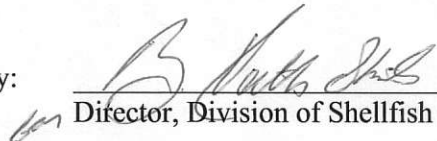
Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*.

1. The "Notice and Description of Shellfish Area Condemnation Number 57, Indian Creek," effective 30 November 2000, is cancelled effective 28 January 2005.
2. The "Notice of Establishment and Description of Seasonally Condemned Shellfish Area at Marina Facility Designation M-174, Northumberland County," effective 13 April 1989 is cancelled effective 28 January 2005.
3. Condemned Shellfish Area Number 016-057, shown as Sections A, B, C, D, and E, is established, effective 28 January 2005. As to Sections A, B, C, and D, it shall be unlawful for any person, firm, or corporation to take shellfish from this area for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. As to Section E, it shall be unlawful for any person, firm or corporation to take shellfish from this area, for any purpose. The boundaries of these sections are shown on the map titled "Indian Creek, Condemned Shellfish Area Number 016-057, 28 January 2005" which is part of this notice.
4. The seasonal shellfish condemnation area Number 016-057 shown as Section M1 is hereby established, effective 1 April 2005, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this section is shown on the map titled "Indian Creek, Condemned Shellfish Area Number 016-057, 28 January 2005" which is part of this notice.
5. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 016-057

- A. The condemned area shall include all of that portion of Indian Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°41'34.6", -76°20'53.4") and map coordinate (37°41'34.7", -76°20'38.5"), but excluding the area defined as Section E.
- B. The condemned area shall include all of that portion of Bells Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°41'25.0", -76°20'10.3") and map coordinate (37°41'21.2", -76°20'04.7").
- C. The condemned area shall include all of that portion of Henrys Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°41'21.1", -76°19'32.7") and map coordinate (37°41'25.4", -76°19'24.9"), as well as all of that portion of Barnes Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°41'10.8", -76°18'47.8") and map coordinate (37°41'19.4", -76°18'26.2").
- D. The condemned area shall include all of that portion of Long Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°41'20.5", -76°20'46.0") and map coordinate (37°41'18.8", -76°20'45.0").
- E. The condemned area shall include all of that portion of Indian Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°42'16.9", -76°21'20.5") and map coordinate (37°42'14.2", -76°21'21.3").
- M1. The condemned area shall include all of that portion of Indian Creek lying inland of a line drawn between latitude/longitude map coordinate (37°41'30.0", -76°20'36.2") and map coordinate (37°41'24.7", -76°20'19.8").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

01/11/2005

Date

Virginia Department of Health
Indian Creek
Condemned Shellfish Area 016-057
January 28, 2005

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Feet

- Condemned Shellfish Areas (Sections A-D)
- Condemned Shellfish Area (Section E)
- Condemned Shellfish Area (Section M1)

